

UNITED STATES
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

Jul 23, 2009

**UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION**

**FILED
CLERK'S OFFICE**

**IN RE: CITIGROUP, INC., AUCTION RATE SECURITIES (ARS)
MARKETING LITIGATION (NO. II)**

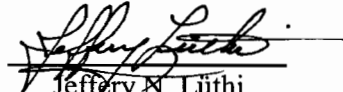
K-V Pharmaceutical Co. v. Citigroup Global Markets, Inc.,)
E.D. Missouri, C.A. No. 4:09-309) MDL No. 2043

ORDER LIFTING STAY OF CONDITIONAL TRANSFER ORDER

A conditional transfer order was filed in this action (*K-V Pharmaceutical*) on June 17, 2009. Prior to expiration of that order's 15-day stay of transmittal, plaintiff in *K-V Pharmaceutical* filed a notice of opposition to the proposed transfer. Plaintiff subsequently failed to file the required motion and brief to vacate the conditional transfer order.

IT IS THEREFORE ORDERED that the stay of the Panel's conditional transfer order designated as "CTO-1" filed on June 17, 2009, is LIFTED. This action is transferred to the Southern District of New York for inclusion in the coordinated or consolidated pretrial proceedings under 28 U.S.C. § 1407 being conducted by the Honorable Laura Taylor Swain.

FOR THE PANEL:


Jeffery N. Lüthi
Clerk of the Panel

**UNITED STATES JUDICIAL PANEL
on
MULTIDISTRICT LITIGATION**

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July 23, 2009

James G. Woodward, Clerk
3300 Thomas F. Eagleton U.S. Courthouse
111 South Tenth Street
St. Louis, MO 63102-1116

Re: MDL No. 2043 -- IN RE: Citigroup, Inc., Auction Rate Securities (ARS) Marketing Litigation (No. II)

(See Attached Order)

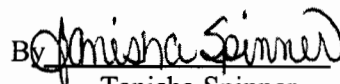
Dear Mr. Woodward:

A conditional transfer order was filed in the above matter on June 17, 2009. Prior to the expiration of that order's 15-day stay, opposition to the proposed transfer was filed and, pursuant to Rule 7.4(c) of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435 (2001), the conditional transfer order was stayed until further order of the Panel. The opposition has now been withdrawn and I am therefore attaching as a separate PDF document a copy of today's order lifting the stay of the conditional transfer order and transferring the action pursuant to 28 U.S.C. § 1407. The order is directed to you for filing. A certified copy of this order has also been transmitted via email today to the Southern District of New York.

A list of involved counsel is attached.

Very truly,

Jeffery N. Lüthi
Clerk of the Panel

By 
Tanisha Spinner
Deputy Clerk

Attachment

cc: Transferor Judge: Judge Henry Edward Autrey

JPML Form 68B

**IN RE: CITIGROUP, INC., AUCTION RATE SECURITIES (ARS)
MARKETING LITIGATION (NO. II)**

MDL No. 2043

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